

# **SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS**

## **MINUTES**

### **CORRECTED**

April 16, 2009

The South Carolina Commission on Disabilities and Special Needs met on Thursday, April 16, 2009, at 10:30 AM at the Department of Disabilities and Special Needs Central Office, 3440 Harden Street Extension, Columbia, South Carolina.

The following were in attendance:

#### **COMMISSION**

##### **Present:**

Bobby Harrell, Chairman  
John Vaughn, Vice-Chairman  
Edythe Dove  
John Powell  
Kelly H. Floyd

##### **Absent**

Otis Speight, Secretary

#### **DDSN Administrative Staff**

Bill Barfield, Deputy State Director, Administration; David Goodell, Associate State Director, Operations; Tom Waring, Director, Budgeting Systems; Linda Veldheer, Director of HASCI; Kevin Yacobi, Director of Internal Audit; Deirdre Blake-Sayers, Director, Human Resources; Yasmin Baltzegar, Human Resources; Tana Vanderbilt, General Counsel; John King, District I Director; Rufus Britt, District II Director; Graeme Johnson, Medical Consultant.

#### **Guests**

Deborah McPherson, Richland County; Donna Thompson, Babcock Center; Joyce Davis, Director, BIASC; Mildred Lilley, Parent, Kershaw; Betty-Routh Steele, Parent, Saleeby Center; Craig Stoxen, Executive Director, SC Autism Society; Kathleen Roberts, Whitten Center Parents Club (SCPADD); Elizabeth

Krauss, Executive Director, Georgetown DSN Board; Al Brumfield, Whitten Center Facility Administrator; Thoyd Warren, Kershaw County DSN Board; Jean Marie Place, Brain Injury Alliance; George Maky, DHHS; Linda Bodiford, Coastal Center; Diane Epperly, SCSCIA; Bob Jones, Executive Director, Allendale/Barnwell County DSN Board; Charlene Norm, Saleeby Center; Shirley Star Brown, Saleeby Center; Annie Stan, Visitor; Rebecca Hill, Coastal Center; Sandra J. Capers, Coastal Center; Delores Ketchens, Coastal Center; Dorothy Salley, Coastal Center; Beverly Buscemi, Facility Administrator, Midlands Center; Pearl Mackey, Midlands Center; Mary Smith, Whitten Center; Karen Howard, Whitten Center; Fred Lynn, Whitten Center; Leon Owens, Facility Administrator, Pee Dee Center; Deloris Edwards, Pee Dee Center; Wilma Epps, Pee Dee Center; Gloria James, Executive Director, Bamberg DSN Board; Dean Redd, Executive Director, Colleton County DSN Board; Terry Rogers, Executive Director, CHESCO Services

#### News Release of Meeting

Mr. Bobby Harrell, Chairman, called the meeting to order. Mr. Harrell read a statement of announcement about the meeting that had been mailed to the appropriate media, interested persons, and posted at the Central Office in accordance with the Freedom of Information Act.

#### Invocation

Dr. John Vaughn gave the invocation.

#### Adoption of the Agenda

On motion of Mrs. Kelly Floyd, seconded by Mr. John Powell and passed, the Commission approved the agenda for the meeting (Attachment A).

#### Approval of the Minutes of the March 19, 2009 Meeting

On motion of Dr. John Vaughn, seconded by Mr. Powell and passed, the Commission approved the March 19, 2009 meeting minutes.

#### Comprehensive Permanent Improvement Plan (CPIP)

Mr. Bill Barfield stated that Mr. Harrell had previously met with DDSN staff to review the capital improvement needs of its five centers and central office to submit to the Budget and Control Board upon Commission approval. Mr. Barfield then introduced Mr. Tom Waring to present the Summary of Projects for the 2009-20010 CPIP as proposed. There was discussion. On motion of Mr. Powell, seconded by Mrs. Floyd and passed, the Commission

approved the summary of projects for years one and two of the CPIP 2009 - 2010. (Attachment B).

#### Budget Update

Mr. Barfield presented the budget information presented yesterday to the Senate Finance Subcommittee. He provided an analysis for potential increase in Federal Financial Participation and explained that DDSN could collect an additional \$28.8M of Medicaid funding this fiscal year. This money would be placed in a special account and the Comptroller's Office would track this money. Mr. Barfield then presented what DDSN requested of Senate Finance regarding the use of stimulus money next fiscal year which would be to reestablish services reduced this fiscal year to current programs. Mr. Barfield gave details of the 2% reduction plan presented to Senate Finance (Attachment C).

#### Change in Audit Requirements

Mr. Kevin Yacobi, Internal Audit Director, explained the changes to the general provisions and audit report/procedures of the SCDDSN Provider Audit Policy (275-04-DD) which are in accordance with the LAC audit. Discussion followed concerning the contract reduction of \$100.00 per day if the audit report is not filed with DDSN within 90 days of the provider organization's fiscal year. Mr. Yacobi emphasized this fee is not meant to be punitive only to get the provider organization's attention. Mr. Harrell stated he does not want the fee to impact services to consumers.

#### 2008 Employee of the Year Awards

Mr. Goodell stated that the employees at the Regional Centers should be extremely proud and are truly heroes. Mr. Goodell thanked Ms. Deirdre Blake-Sayers and the Selection Committee for their efforts in the process of choosing the statewide DDSN Employee of the Year.

Ms. Rebecca Hill announced Ms. Delores Lorine Ketchens as Employee of the Year for the Coastal Regional Center. Ms. Ketchens performs duties as an Administrative Specialist/Switchboard Operator Supervisor and has been employed at the Coastal Center for 13 years. Mrs. Edythe Dove presented a Commission resolution to Ms. Ketchens.

Mr. Leon Owens announced Ms. Shirley Starr Brown as Employee of the Year for the Saleeby Center. Ms. Brown performs duties as a Human Services Specialist I (Resident Manager) and has been employed at the Saleeby Center for 15 years. Mrs. Kelly Floyd presented a Commission resolution to Ms. Brown.

Dr. Beverly Buscemi announced Ms. Pearlie Major-Knight as Employee of the Year for the Midlands Regional Center. Ms. Knight performs duties as a Human Services Assistant at Sycamore Residence and has been employed at the Midlands Center for over 11 years. Mr. John Powell presented a Commission resolution to Ms. Knight.

Mr. Leon Owens announced Ms. Deloris Edwards as Employee of the Year for the Pee Dee Regional Center. Ms. Edwards performs duties as a Human Services Assistant for Pee Dee Center and has been employed at the Pee Dee Center for 13 years. Mrs. Kelly Floyd presented a Commission resolution to Ms. Edwards.

Mr. Al Brumfield announced Ms. Karen I. Howard as Employee of the Year for the Whitten Regional Center and then introduced Ms. Beth Smith to speak about Ms. Howard. Ms. Howard performs duties as a Human Services Assistant and has been employed at the Whitten Center for five years. Dr. John Vaughn presented a Commission resolution to Ms. Howard.

Mr. Bobby Harrell announced Ms. Deloris Edwards had been selected as the statewide 2008 DDSN Employee of the Year. Mr. Harrell presented Ms. Edwards with a plaque and a monetary award.

#### Discussion on Public Input at Commission Meetings

Mrs. Floyd provided a sample of a request to speak to the board form for Commission members to review to discuss allowing input from the public at Commission meetings on a trial basis. Parents having difficulties resolving issues, for example, would be allowed to address the Commission, but would not be for the purpose of individuals with legal actions against DDSN. The speaking time would be limited for each individual. Mr. Harrell stated that he and Mrs. Floyd would be the committee to create an application form. An individual would submit their request form to Sandra Delaney before a Commission meeting begins. Mrs. Edythe Dove requested the form be available on the DDSN website.

#### Report from DSN Boards

Ms. Elizabeth Krauss, Georgetown County DSN Board Executive Director and SCHSP Vice Chair, gave the SCHSP report on Mr. Ralph Courtney's behalf. Ms. Krauss discussed how she has to tell families not to move to South Carolina with their family member because there are no services available due to budget reductions and hopes to have some restoration of services soon. Ms.

Krauss stated the providers need more clarification on release of information on employees.

State Director Report/Announcements

Mr. Harrell asked Mr. Powell to read aloud the letter addressed to Senator Thomas Alexander from the LAC dated April 3, 2009. The letter provided additional information to clarify issues related to the expenditure of DDSN funds that came up during the budget subcommittee meeting (Attachment D).

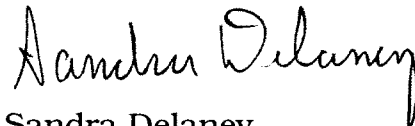
Mr. Harrell introduced Dr. Andy Laurent as the interim state director for DDSN. Dr. Laurent spoke of his professional history. He stated that DDSN is a good agency and things change daily. He shared what he has said to DDSN staff, let us make sure we get the job done and get the biggest bang for our buck.

Next Meeting Date

Mr. Harrell announced the next Commission meeting would be held May 21, 2009, in Columbia, South Carolina.

On motion of Mr. Powell, seconded by Mrs. Floyd and passed, the Commission meeting was adjourned.

Submitted by,

A handwritten signature in black ink, appearing to read "Sandra Delaney". The signature is fluid and cursive, with the first name "Sandra" written in a larger, more prominent script than the last name "Delaney".

Sandra Delaney

Approved:

Dr. Otis Speight  
Mr. Bobby Harrell

**SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS**

**A G E N D A**

**South Carolina Department of Disabilities and Special Needs  
3440 Harden Street Extension  
Conference Room 251  
Columbia, South Carolina**

**April 16, 2009**

**10:30 AM**

1. Notice of Meeting Statement
2. Invocation – *Mr. Bobby Harrell*
3. Introduction of Guests
4. Adoption of Agenda
5. Approval of the Minutes of the March 19, 2009 Meeting
6. Comprehensive Permanent Improvement Plan (CPIP) – *Waring*
7. Budget Update – *Barfield*
8. Change in Audit Requirements – *Kevin Yacobi*
9. Discussion on Public Input at Commission Meetings
10. 2008 Employee of the Year Awards – *Blake-Sayers/Goodell*
11. Report from DSN Boards – *Ralph Courtney*
12. State Director Report/Announcements
13. Next Regular Meeting Date – May 21, 2009
14. Calendar of Upcoming Events
15. Information

**PLEASE SILENCE CELL PHONES DURING THE MEETING. THANK YOU.**

## **RECOMMENDATION FOR APPROVAL OF THE COMPREHENSIVE PERMANENT IMPROVEMENT PLAN 2009-10**

The Department has assessed the capital improvement needs of its state-owned facilities at the five centers and the central office. Through this evaluation and prioritization, the Department's Comprehensive Permanent Improvement Plan ("CPIP") for fiscal year 2009-10 has been prepared for submittal to the Budget and Control Board.

Only those projects detailed in year one of the CPIP will be submitted for approval by the Joint Bond Review Committee (JBRC) and the Budget and Control Board (B&C Board). The projects in year two will be detailed for information and planning purposes, but not officially approved. For next year's CPIP, the Department will have the flexibility to re-submit projects currently listed for year two and/or to add other projects as needed.

### **What the Commission is being asked to do:**

*The Commission is being asked to approve the attached summary of projects for years one and two of the CPIP 2009-10, although only year-one projects will be those submitted for approval by the JBRC and the B&C Board.*

# SCDDSN - Summary of Projects Proposed for CPIP09-10

## Year One (2009-10) - For Approval by Commission:

#	Project Name	Buildings/Group	Budget
1	Midlands Center - Fire Alarm Systems Upgrade	Residences, Program, Gym, Plaza, Admin	200,000
2	Piedmont Region- Community Facilities - Fire Sprinkler Systems Installation	Cherokee DSN- Winchester; Laurens DSN: Oak Grove; Greenville DSN: Ridge Rd -Closets	225,000
3	Coastal Center - Phase II Refurbishment -ADA Bathroom Renovation	Bldg H-1, formerly Swimming Pool	200,000
4	Pee Dee Center - Mulberry/ Pecan Buildings - Refurbishment (Cabinets & Counters)	Mulberry, Pecan Buildings	180,000
5	Whitten Center-Variou Buildings - Lighting Upgrade	WC Central Square, Campus and Selected Bldgs.	225,000
6	Coastal Center - Highlands - Outdoor Swimming Pool Demolition / Replacement	Highlands	100,000
7	Coastal Center - Hillside Program Building- Refurbishment	Hillside Program Bldg	248,000
8	Statewide- Regional Centers- Preventive Maintenance and Lifecycle Refurbishment	All Regional Centers	530,000
9	Statewide - Community Facilities- Conversions/ Energy and Renovations	Statewide -Community Faciliites	350,000
10	Statewide - Community Facilities- Roofs, Gutters and Soffit Repairs	Statewide -Community Faciliites	235,000
11	Statewide - Centers- Fiber Network Repairs	Midlands, Pee Dee, Coastal Centers	225,000
12	Central Office and Piedmont Region - Replace phone systems with new Voice over Internet Protocol technology	Central Office & Piedmont Region (Whitten Center)	150,000
13	Statewide - Agency Energy Plan Implementation	Centers In All Regions	100,000
14	Statewide - Paving / Roads / Sidewalks / Site Development	Centers In All Regions	245,000
Total Year 1 Projects			3,213,000



## Year Two (2010-11) - *For Information Only*

#	Project Name	Buildings/Group	Budget
1	Statewide - Community Facilities Infrastructure Upgrades	<u>Statewide</u> -Community Faciliites	320,000
2	Statewide - Centers - Replace phone systems with new Voice over Internet Protocol technology	Coastal, Midlands, Pee Dee, Saleeby	150,000
3	Central Office -HVAC/ Lighting/ Fire Alarm/ Interior Renovations	Central Office	1,750,000
4	Coastal Center - Three Buildings Demolition	Lakeside 430, Lakesude 530, E-1-Old Staff Development	172,500
5	Midlands Center - Rondeau Building- Demolition	Rondeau Building	150,000
6	Whitten Center- Regional Office Building Demolition	Regional Office Buildilng	101,000
Total Year 2 Projects			2,643,500

**SOUTH CAROLINA DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS  
BUDGET NEEDS FOR FY 2009 – 2010**

**Attachment C**

<b><u>Program Needs</u></b>		<b><u>Description</u></b>		<b><u>DDSN Request</u></b>	<b><u>House of</u></b>
				<b><u>State Funds</u></b>	<b><u>Representatives</u></b>
1.	Annualization of Services Funded By Proviso 90.12 DHHS Funding	This request is to annualize the nonrecurring funding provided DDSN in the FY 2008-2009 Appropriations Act for ongoing services to individual consumers and families. These non-recurring dollars funded a community support waiver for 2,159 consumers who have been receiving rehabilitation services at a net cost of \$2,253,000 in State matching funds. Authorized 300 children with Autism and Asperger's Syndrome to receive the Pervasive Developmental Disorder Waiver costing \$4,500,000. An additional \$3,000,000 authorized Community Supports respite and stipends to 3,000 consumers throughout the state.		\$9,753,000	\$9,753,000
2.	Case Management - Federal Mandate	The state has been informed by the Federal Medicaid agency that there will be changes in federal rulemaking regarding case management services. These changes will result in additional activities that must be carried out by the State at additional cost and activities currently being performed for consumers that will no longer be reimbursable by Medicaid. DDSN's expectation is that the agency must be in compliance July 1, 2009, based on Federal timelines. Without these additional dollars, services will have to be reduced to 875 consumers statewide.		\$730,000	
3.	Maintenance of Effort to Cover Cost of Care	This request represents the need to provide sufficient funding as a maintenance of effort to the providers of services so that the actual cost of care can be covered. If the state's reimbursement rates do not cover the actual cost of care, eventually the local entities will have to reduce the scope and quality of care below acceptable standards, eliminate the services for which there is insufficient funding, or stop providing services. In the last two years the costs have risen with increasing cost of gasoline, oil, electricity, food, medical professionals, and other goods and services by an average of 6.98 percent. All providers are now at the point that reimbursements must be increased to cover the additional operating costs which have risen significantly.		\$2,466,500	
4.	Traumatic Brain or Spinal Cord Injury Post-acute Rehabilitation	South Carolina needs to fully fund over time the remaining cost of post-acute rehabilitation that enables people with traumatic brain or spinal cord injuries to obtain an appropriate level of specialized rehabilitation after the injury and acute hospital stay. Currently in the state, there is a serious gap in access to post-acute rehabilitation that is specialized for traumatic brain or spinal cord injuries. The estimates based on hospital discharges are that 2,254 individuals with traumatic brain or spinal cord injuries this year will be in need of specialized post-acute inpatient/outpatient rehabilitation. The total cost of care would be \$68 million; however, \$56.5 million dollars of this expense could be covered by private insurance, Medicare and other government reimbursements. This fiscal year, DDSN will have \$1,157,740 in funding for this program. The State funding needed for the balance to cover the uninsured/underinsured and Medicaid State matching funds would be \$10,346,000. Due to the amount of funding needed, DDSN is only requesting \$3,000,000 in additional funding at this time.		\$3,000,000	
5.	Community Supports in the Individual's and Family's Home	This request is to prevent unnecessary and expensive out-of-home placements by serving 950 individuals with severe disabilities with the supports necessary to maintain them in their homes. Community support services prevent the break-up of families and reduce the number of crisis situations and their resulting out-of-home placements. As of June 30, 2008, there were 1,087 consumers on the waiting list for the Mental Retardation/Related Disabilities Waiver and 243 awaiting the Head & Spinal Cord Injury Waiver for 1,330 individuals. There were also 1,048 awaiting a day support service. Funding this request may be the difference between supporting families and individuals versus replacing families and providing expensive total care.		\$2,582,000	
<b>Total Recurring Request</b>				\$18,531,500	\$9,753,000

South Carolina Department of Disabilities & Special Needs

Analysis of Potential Increase in FFP

April 8, 2009

Description	Current	Proposed Change	State Fiscal Year Impact
<b>Impact of 9.29% Increase in FFP</b>			
Total Medicaid Cost	\$434,300,000	\$434,300,000	
FFP Percentage - Composite	70%	76.63%	
Projected Medicaid Revenue	\$304,010,000	\$332,814,948	
State Dollars Needed	\$130,290,000	\$101,485,052	(\$28,804,948)
State Match	30%	23.4%	
<b>Impact of 9.29% Increase in FFP: SFY10</b>			
Total Medicaid Cost	\$442,858,000	\$442,858,000	
FFP Percentage	70.07%	79.36%	
Projected Medicaid Revenue	\$310,310,601	\$351,452,109	
State Dollars Needed	\$132,547,399	\$91,405,891	(\$41,141,508)
State Match	29.9%	20.6%	
<b>Impact of 9.29% Increase in FFP: SFY11</b>			
Total Medicaid Cost	\$442,858,000	\$442,858,000	
FFP Percentage	70.07%	79.36%	
Projected Medicaid Revenue	\$310,310,601	\$351,452,109	
State Dollars Needed	\$132,547,399	\$91,405,891	(\$20,570,754)
State Match	29.9%	20.6%	
<b>Total Increase to DDSN</b>			<b>(\$90,517,210)</b>

**South Carolina Department of Disabilities and Special Needs  
Impact of Stimulus Package on Services**

4/8/2009

<u>Description of Type Service</u>	<u>Services Affected</u>	<u>Total Funds Impact</u>	<u>State \$ Impact</u>
<b>Restoration of Eligibility:</b>			
1 Attrition Slots Restored - MR/RD Waiver	91 slots	\$1,098,370	\$329,511
2 Attrition Slots Restored - HASCI Waiver	42 slots	\$1,092,000	\$327,600
3 Early Intervention Services to Children	670 slots	\$2,578,984	\$1,351,003
<b>Service not Provided due to State Fund Reductions:</b>			
1 Day/Supported Employment Capacity Reduction	530 slots	\$4,890,310	\$3,819,978
2 Residential/Day Service Adjustment	100 slots	\$8,098,710	\$2,435,613
3 PDD Waiver Service Reduction	190 slots	\$8,425,000	\$3,000,000
4 Waivers Capacity Reduction	106 slots	\$2,765,390	\$829,617
5 Service Coordination Reduction	3900 slots	\$5,970,157	\$2,748,428
<b>Service Reductions that are to be Implemented:</b>			
1 Reduce Ancillary Services in Waiver		\$5,000,000	\$1,500,000
2 Residential Service Reductions	175 slots	\$3,200,000	\$984,000
<b>State Services that can be Restored with One-Time Funds:</b>			
1 Post Acute Care TBI/SCI Program		\$1,650,000	\$1,650,000
2 Family Support/ Respite Service		\$550,000	\$550,000
3 Summer Service Restored		\$709,741	\$709,741
<b>Total</b>		<b>\$46,028,662</b>	<b>\$20,235,491</b>

Footnote: This plan is contingent upon the restoration of Priority 1 funding per DDSN's 2010 Budget Request, totaling \$9,753,000.

**South Carolina Department of Disabilities and Special Needs**  
**Additional Budget Reduction Impact**

South Carolina Department of Disabilities and Special Needs									
Additional Budget Reduction Impact									
#	Description	Consumers Affected	Employee Contract Positions	State Base Prior to 2% Reduction		Cumulative State Fund Reduction	Cumulative Percentage	Adjusted State Base	
				Total Funds	State Funds				
Additional 2% Reduction Impact									
1	Service Coordination Caseloads at 40 instead of 38		14	\$ 711,172	\$ 298,692	\$ 298,692	0.19%		
2	Consolidate Six Homes by Combining Vacancies in Other Homes	24		\$ 1,680,000	\$ 588,000	\$ 886,692	0.56%		
3	Convert Community Training Homes II to Less Expensive Residential Alternatives	250		\$ 5,000,000	\$ 1,500,000	\$ 2,386,692	1.51%		
4	Service Coordination Caseloads at 48 instead of 40		37	\$ 1,862,407	\$ 782,211	\$ 3,168,903	2.00%		
Total 2% Reduction				274	51	\$ 9,253,579	\$ 3,168,903	2.00%	\$ 155,276,245
Additional 7.38% Reduction Impact:									
4 continued	Service Coordination Caseloads at 48 instead of 40		6	\$ 321,907	\$ 135,201	\$ 135,201	0.09%		
5	Early Intervention - Reduce Remaining EI caseloads by 50%	2,000	160	\$ 8,800,000	\$ 4,699,200	\$ 4,834,401	3.11%		
6	Respite (100% State Funded) - all divisions	270		\$ 275,000	\$ 275,000	\$ 5,109,401	3.29%		
7	Family Support Stipends (100% State Funded) - all divisions	270		\$ 275,000	\$ 275,000	\$ 5,384,401	3.47%		
8	Adult Day Program Centers Non-Residential/ MR Rehab Support	2,320	233	\$ 15,980,002	\$ 6,072,401	\$ 11,456,802	7.38%		
Total 7.38% Reduction Impact				4,860	399	\$ 25,651,909	\$ 11,456,802	7.38%	\$ 143,819,443